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Via Federal Express

Mr. R. Craig Matthiessen
Director, Regulations and Policy Development Division
Office of Emergency Management
1200 Pennsylvania Ave, NW
Washington, DC 20460

Dear Mr. Matthiessen:

This is in reply to your letter of June 7, 2010 to Ms. Kathryn Preston of our Energy Services Division regarding entitlement to confidentiality of information related to Nalco's dispersant products COREXIT EC 9500A and COREXIT EC 9527A.

Nalco has cooperated and continues to cooperate with EPA and various other Federal and state agencies involved in remediation efforts relating to the Gulf of Mexico oil spill as well as multiple academic institutions engaged in studying these products. In particular, on May 11 and 12, 2010 Nalco disclosed CAS numbers and chemical names of all of the components of COREXIT EC 9500A and COREXIT EC 9527A. On May 16, 2010 Nalco released the components and percent compositions of COREXIT EC 9500A and COREXIT EC 9527A under confidentiality to various agencies of the Louisiana state government.

Further, on May 20, 2010 Nalco formally released its claim to confidentiality on the chemical constituents of these products.

By this letter Nalco hereby releases our claim to all information provided to EPA to date on COREXIT EC 9500A and COREXIT EC 9527A except for the percentages of the chemical constituents in the formulations. We further request that the percentages be maintained as Confidential Business Information ("CBI") until such time as Nalco expressly authorizes their release or the information otherwise becomes part of the public domain other than through breach of a confidentiality agreement.

In support of our request for CBI treatment of the percentages please consider the following.

1. We do not anticipate that this information will become stale as the general nature of the ocean and crude oil will not change significantly over time.



2. This information is maintained internally in limited-access databases and is not disclosed to third parties that are not bound except under written obligations of confidentiality and non-use. All publications related to Nalco products are screened prior to release to ensure that formulation information does not enter the public domain. As the percentages of the components in the formulations is a valuable trade secret any recipient of this information must agree to be bound to keep the percentages in confidence indefinitely before the information is provided.

3. To the best of our knowledge this information is not contained in any publically-available material. As a matter of corporate policy we do not release compositional information on any of our products to the public in the absence of a confidentiality agreement. Reverse engineering these products to determine the percentages requires sophisticated knowledge and equipment that is not widely available. In this regard we note that no copies have appeared on the market despite these products being widely recognized as safe and effective and being available in the marketplace for decades.

4. We do not believe that any governmental body has made a determination as to the confidentiality of this information.

5. Although the general properties of the active ingredient are well known, the application of this information to develop formulations that safely and effectively disperse crude oil in the marine environment and obtaining EPA approval for their use represents a significant investment of corporate resources. Release of the percentages would permit competitors to quickly copy the formulations thereby both eroding Nalco's market position and destroying the value of the internal investment. As Nalco has the capacity to meet the demand for these products we do not see any reason to make this information available to competitors.

6. We have disclosed this information voluntarily at the request of EPA so that EPA can use in their spill-abatement efforts.

We therefore request that the percentages of the components of COREXIT EC 9500A and COREXIT EC 9527A be maintained in confidence by EPA.

Please do not hesitate to contact me with any questions.

Sincerely,



Michael B. Martin

MBM:jj